

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figures 1 and 2. This sheet, which includes Figs. 1 and 2, replaces the original sheet including Figs. 1 and 2. In Figure 1, descriptive labels have been provided. In Figs. 1 and 2, " Δt " has been replaced with " ΔT " to provide consistency between the specification and the drawings.

Attachment: 1 replacement sheet

REMARKS

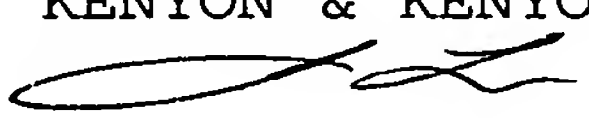
This Preliminary Amendment cancels without prejudice original claims 1-6 in the underlying PCT Application No. PCT/DE2004/001630 and adds new claims 7-16. The new claims conform to U.S. Patent and Trademark Office rules and do not add new matter to the application.

In accordance with 37 C.F.R. § 1.125(b), the Substitute Specification (including the Abstract, but without the claims) contains no new matter. The amendments reflected in the Substitute Specification (including Abstract) are to conform the Specification and Abstract to U.S. Patent and Trademark Office rules or to correct informalities. As required by 37 C.F.R. § 1.121(b)(3)(ii) and § 1.125(c), a Marked Up Version Of The Substitute Specification comparing the Specification of record and the Substitute Specification also accompanies this Preliminary Amendment. Approval and entry of the Substitute Specification (including Abstract) are respectfully requested.

The underlying PCT Application No. PCT/DE2004/001630 includes an International Search Report, dated January 20, 2005. The Search Report includes a list of documents that were uncovered in the underlying PCT Application.

Applicant asserts that the subject matter of the present application is new, non-obvious, and useful. Prompt consideration and allowance of the application are respectfully requested.

Respectfully Submitted,

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Dated: 3/30, 2006

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DEVICE FOR FATIGUE WARNING IN MOTOR VEHICLES HAVING A RUN-UP ALARM
SYSTEM

~~Background Information~~ Field of the Invention

The present invention relates to a fatigue warning device in motor vehicles, having a driver sensor system for detecting driver
5 fatigue conditions and having a run-up alarm system which has an environment sensor system, and which warning device is designed to output a warning signal and/or perform a regulating intervention in the drive and/or brake system of the vehicle when the distance to a preceding vehicle drops below a warning distance.

10 Background Information

~~In a previous application of the present applicant, a~~ A fatigue warning device of this type was has been previously proposed by the present inventor, in which the fatigue warning system is combined with an ACC (adaptive cruise control) system. ACC systems
15 are already in practical use and typically include as an environment sensor system a radar sensor installed in the front of the vehicle, which locates preceding vehicles, and a controller which automatically intervenes in the drive or brake system of the vehicle if the distance to the preceding vehicle drops below a
20 predefined setpoint distance. If the distance to the preceding vehicle increases again, the controller causes the vehicle to accelerate, so that the distance is automatically regulated to the setpoint distance. The setpoint distance is usually defined by what is known as time gap, i.e., the time interval between the preceding
25 vehicle and the host vehicle passing a fixed point on the roadway.

In some systems of this type, the driver has the option of setting the setpoint time gap ~~himself~~ within certain limits, for example, between one and two seconds.

In addition to ACC systems ~~wherein~~ which automatic distance
5 regulation is performed, run-up alarm systems are also known in which only a warning signal is output if the time gap drops below a setpoint value, referred to as a warning distance, while the driver is left to control the vehicle. In the present
~~application~~ specification, the term "warning distance" is used
10 instead of the term "setpoint distance" even if actually not only a warning, but also an intervention in the drive or brake system, occurs.

In the device previously proposed in the previous application by the present inventor, if the driver sensor system detects a driver
15 fatigue condition, the vehicle is forcibly decelerated and finally braked to a standstill. The risk of an accident is thus minimized by the combination with the distance regulating system. If the roadway in front of the host vehicle is free, the vehicle decelerates with a moderate deceleration rate so as not to irritate
20 or put at risk the traffic following behind. In contrast, if a preceding vehicle is ~~located~~ detected by the environment sensor system, the host vehicle is decelerated more severely and more rapidly as a function of the measured distance, so as to prevent a collision with the rear of the preceding vehicle. The setpoint
25 time gap set, however, is independent of the driver's fatigue condition.

Published international patent document WO 00/24309 A1 describes a fatigue warning system in which ~~the~~ a driving impairment is ~~established~~ detected using a camera system which ~~responds in~~
30 ~~particular to~~ monitors the driver's eyelid movements. If driving impairment is detected, this warning system is designed not only to output a warning signal and turn on the hazard warning lights, but also to initiate controlled braking to safely brake the vehicle to a standstill.

In most known fatigue warning systems, only a warning signal is output to the driver when a fatigue condition is detected, for example, an optical or acoustic warning signal or also a haptic signal, for example, in the form of vibration of the steering wheel.

5 However, these systems are not easily accepted by drivers, because the driver feels bothered by frequent warning signals most of which are subjectively perceived as unjustified.

~~Advantages of the Invention~~Summary

10 The present invention ~~having the features recited in Claim 1~~
~~offers~~provides the advantage that the acceptance of the fatigue warning system by the driver is increased and yet a high degree of traffic safety is achieved.

15 For this purpose, according to the present invention, the warning distance on which the run-up alarm system or distance regulating system is based is modified as a function of the fatigue condition detected. If driver fatigue is detected, initially no warning signal is output; only the warning distance is increased. The warning signal is not output until the distance to the preceding vehicle drops below the now increased warning distance. In this way, increased traffic safety is achieved without bothering the driver with unnecessary signals, by increasing the response time available to the driver when tailgating the preceding vehicle. Instead of, or in addition to, outputting a warning signal, the vehicle may also be automatically decelerated by the distance regulating system. This deceleration of the vehicle occurring at an unusually great distance is usually noticed by the driver and therefore also has the function of a "gentle" warning signal which is therefore more acceptable to the driver.

20 ~~Advantageous embodiments and refinements of the present invention~~
~~result from the subclaims.~~

The warning distance ~~is preferably~~may be defined by a setpoint time gap, as used in distance regulating systems or ACC systems. In systems where the driver is allowed to set the setpoint time gap manually, the device according to the present invention is

preferably designed in such a way that the automatic increase in the setpoint time gap overrides the driver's manual setting. The setting range provided for manual setting may also be exceeded upward if fatigue is detected.

- 5 It is advantageous to ~~visualized~~display the fatigue condition detected using an optical display on the dashboard in such a way that the response of the run-up alarm system or distance regulating system which is unusual for the driver is made transparent.

Drawing

- 10 ~~An exemplary embodiment of the present invention is depicted in the drawing and elucidated in detail in the description that follows.~~Brief Description of the Drawings

Fig. 1 shows a block diagram of an example embodiment of the device according to the present invention, and.

- 15 Fig. 2 shows a ~~diagram for elucidating~~graph illustrating the modification of a setpoint time gap as a function of the fatigue condition.

~~Description of the Exemplary Embodiment~~Detailed Description

- Figure 1 shows, as a block diagram, an ACC control unit of a motor vehicle formed by one or more microprocessors, which receives
20 signals from an environment sensor system 12, for example, from a radar sensor installed in the front of the vehicle and, on the basis of the measured distance and the relative velocity of a preceding vehicle, intervenes in drive system 14 and/or brake
25 system 16 of the vehicle to regulate the distance to the preceding vehicle to a setpoint distance (warning distance) defined by a setpoint time gap. These regulating functions are performed ~~as known~~ by a controller 18 of ACC control unit 10.

- In addition, the device according to the present invention has a
30 driver sensor system 20, which is able to detect the driver's fatigue condition. This driver sensor system 20 may be formed, ~~as known,~~ for example, by a camera system and an electronic image

analyzing system which responds to the driver's eyelid movements. Optionally or additionally, ~~however,~~ other criteria may also be used for recognizing fatigue conditions, such as, for example, the frequency of relatively abrupt steering interventions by the
5 fatigued driver for keeping the vehicle in its lane. If environment sensor system 12 also includes a camera system directed to the roadway for recognizing the roadway boundaries, the frequency and degree of deviations from the center of the lane may also be ~~directly registered~~ considered for fatigue detection.

10 Driver sensor system 20 is ~~preferably~~ designed in such a way that it statistically analyzes the frequency of signs of driver fatigue and computes a quantitative parameter E (degree of fatigue) from this statistical data.

ACC control unit 10 furthermore contains a setting device 22, which
15 determines a setpoint time gap Δt which is then used as a basis for the distance regulating function or distance warning function in controller 18. An operator's control 24 connected to setting device 22 allows the driver to set time gap ΔT to be used within a limited setting range of one or two seconds, for example, under
20 normal conditions, when no fatigue exists.

Degree of fatigue E is transmitted by driver sensor system 20 to setting device 22 and is used there for modifying setpoint time gap ΔT as a function of the fatigue condition.

An example of the modification of the setpoint time gap performed
25 automatically in setting device 22 is graphically illustrated in Figure 2. For a degree of fatigue $E = 0$, the setting manually made by the driver using operator's control 24 applies. Setpoint time gap ΔT thus set is within the setting range of one to two seconds. With increasing degree of fatigue, setpoint time gap ΔT increases
30 linearly as shown by solid curve 26 in Figure 2. As fatigue increases, this modified setpoint time gap may also exceed the upper limit of the setting range of two seconds. Finally at a certain degree of fatigue, the setpoint time gap reaches a maximum

value, which in the example shown is 3 seconds, and it then remains constant even at a higher degree of fatigue.

This automatic increase in the setpoint time gap as a function of degree of fatigue E makes it possible to increase the warning distance or, in the case of an active distance regulating function, the setpoint distance at which a preceding vehicle is followed as the degree of fatigue increases, so that the response time which becomes potentially longer in the event of driver fatigue is taken into account.

10 If the driver has set or sets a longer setpoint time gap within the setting range of one to two seconds, the setpoint time gap is modified as shown by curve 28 which is drawn as a dashed line in Figure 2. Also in this case, the setpoint time gap is increased linearly to a maximum value and then remains constant. Even if the
15 driver attempts to re-adjust the setpoint time gap using operator's control 24 and sets it to the maximum possible value of two seconds, for example, in the event of a higher degree of fatigue a forced increase in the setpoint time gap takes place, which the driver is unable to ~~compensate~~exchange. Increased traffic safety is thus
20 achieved, while the driver is discreetly prompted to take a rest.

Normally, the driver is able to deactivate the ACC function at any time by inputting an appropriate command. The device
~~proposed~~described herein may, however, also be designed in such a way that the ACC function is forcibly activated and cannot then
25 be deactivated by the driver if degree of fatigue E exceeds a certain threshold value.

Abstract

ABSTRACT

A device for fatigue warning in motor vehicles, ~~having~~ includes
a driver sensor system ~~(20)~~ for detecting driver fatigue conditions
and ~~having~~ a run-up alarm system which has an environment sensor
5 system ~~(12)~~ and. The alarm system is designed to output a warning
signal and/or perform a control action in the drive and/or brake
system ~~(14, 16)~~ of the vehicle when the distance to a preceding
vehicle drops below a warning distance, ~~the~~. The run-up alarm
system ~~having~~ has a setting device ~~(22)~~ which is ~~designed for~~
10 ~~modifying~~ configured to modify the warning distance as a function
of the detected fatigue condition ~~(E)~~.

~~(Figure 1)~~